

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2457
Thomas LAUKAMM et al.) Examiner: Clayton R. Williams
Application No. 10/807,137) Confirmation No. 3689
Filed: March 24, 2004)
For: DATA TRANSMISSION PROCESS)

DECLARATION OF PROF. DR. DR. STEFAN EICKER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Prof. Dr. Dr. Stefan Eicker, declare that:

1. I am a full professor for Business Information Systems and Software Engineering having detailed knowledge of software architecture, especially SOA and design patterns, security and trust, and software development methods and tools. I am a member of the European Network of Excellence Nessos (NoE on Engineering Secure Future Internet Software Services and Systems). I am collaborating in the international research project PICOS (Privacy and Identity; Management for Community Services), the PICO consortium being supported by the EU as a part of the Trust & Security Group within the 7th Research Framework Program. I am a member of the PC of various international conferences and scientific journals, am a leader of the special interest group for software product management which is part of the Gesellschaft für Informatik (GI), and am a co-founder of the international conference on Business Informatics. I cooperate with international combines like EON, KONE or Evonik and with mid-range companies, especially software companies, and have repeatedly performed legal evaluation of software projects from an expert's point of view.

2. I have reviewed the disclosure of the above identified patent application (hereafter, the LAUKAMM application), as a result of which I have found a main aspect of the

invention to be the description of a process for the transmission of data sets between server and client where a display data set is retrieved from one or more server and a query data set is retrieved from one or more other server; both data sets are displayed at the client with a minimum overlapping in time. The concrete query data (e.g., in the form of input masks) is sent to the client depending on the display data set. An additional feature of this process is a possible way of backward interaction between the client and the server. Via the backward channel, a servicer (e.g., a feedback server) can receive feedback from the user (collected data at the client) to the concrete display data set which is structured by the query data set.

3. I have also reviewed the decision of the Examiner issued November 25, 2009. Referring to the section designated "Response to Arguments" (page 12/13), I respectfully disagree with the Examiner's conclusions based on the following facts: The ActiveX technology and the use of this technology - especially together with the Microsoft Authenticode Technology - inside a web browser cannot be equated to the process which is described in the invention. The Examiner's statement that "*the...browser recognizes the HTML object tag, automatically downloads the control, and presents the client with a digital certificate that authenticates the control...*" (page 12, line 9) implies that the display data set (html web site) includes the link (Active X object tag) to the corresponding control that itself encompasses the certificate, which is presented to the user (query data set), or a link to this certificate.

However, this represents an essential difference from the process of the invention. A fundamental part of the transmission process is the fact that the display data set includes no information of (or link to) the corresponding query data set or parts of it, so that a display data set never has to be modified or enhanced to realize the mapping between display data set and query data set.

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the above captioned application or any patent issuing thereon.

By:


Prof. Dr. Dr. Stefan Eicker

Date: April 17th, 2010